

EXHIBIT D



Spring Valley Village, Texas Code of Ordinances Sec. 01:01

CODE OF ORDINANCES City of SPRING VALLEY VILLAGE, TEXAS Codified through Ordinance No. 22-10, enacted May 24, 2022. (Supp. No. 55)

Texas Municipal Codes > Texas > Spring Valley Village Code of Ordinances > CHAPTER 12 - PLANNING & ZONING > SECTION ONE: PURPOSE AND ADMINISTRATION

§ Sec. 01:01 PURPOSE.

The zoning regulations and districts as herein established for the City of Spring Valley have been made in accordance with a comprehensive plan for the purpose of promoting the general health, safety, morals and welfare of the community. They have been made with reasonable consideration, among other things, of the character of the district and its peculiarities and suitability for particular uses; with a view toward conserving and promoting the economic, social and aesthetic value of structures and buildings and encouraging the most appropriate use of land throughout the community; to facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements; for the protection and preservation of open-space land so as to avoid the unnecessary conversion of such land to heavy urban uses thereby protecting against the resultant adverse impacts such as air, noise, visual and water pollution, traffic congestion, destruction of scenic beauty, hazards relating to geology, fire and flood and other demonstrated consequences of urban sprawl and to mitigate and control such existing adverse urban effects.

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Spring Valley Village, Texas Code of Ordinances Sec. 02:01.02

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§ Sec. 02:01.02

No building, including prefabricated buildings used for Accessory Uses, shall be erected, converted, enlarged, reconstructed, moved or structurally altered, nor shall any building be used, except for a use permitted in the district in which such building is located.

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Spring Valley Village, Texas Code of Ordinances Sec. 03:C-02

CODE OF ORDINANCES City of SPRING VALLEY VILLAGE, TEXAS Codified through Ordinance No. 22-10, enacted May 24, 2022. (Supp. No. 55)

Texas Municipal Codes > Texas > Spring Valley Village Code of Ordinances > CHAPTER 12 - PLANNING & ZONING > SECTION THREE: DEFINITIONS

§ Sec. 03:C-02 Customary Home Occupations:

To qualify as a Customary Home Occupation, an activity must meet the following prerequisites:

- .01 Not involve the conduct of business which would generate frequent traffic parking at the residence; and
- .02 Be customarily carried on in a single family dwelling as an incidental use, but not the principal use thereof, by an occupant of the premises;
 - .02.01 Without the help at the residence of any assistant or employees; and
 - .02.02 Without structural alterations in the building or any of its rooms; and
 - .02.03 Without the installation or assistance of any machinery or equipment other than that customary to normal household operations; and
 - .02.04 Without the use of any sign, display or advertisement of the occupation or the telephone number of the same, or of the occupant; and
- .03 Not cause the generation of any traffic parking in the streets more often than ten (10) minutes once per hour for ten (10) consecutive hours; and
- .04 Not involve the storage or display of any property other than household goods used on the premises; and
- .05 Not be the following (which list is not intended to be exhaustive):
 - .05.01 A beauty school;
 - .05.02 parlor or shop;
 - .05.03 A doctor's or dentist's office for the treatment of patients;
 - .05.04 A barbershop;
 - .05.05 A carpenter's shop;
 - .05.06 An electrician's shop;
 - .05.07 A shoe shop;
 - .05.08 A plumber's shop;
 - .05.09 A radio shop;
 - .05.10 A tinner's shop;
 - .05.11 An auto repairing or auto repainting shop;
 - .05.12 A furniture repairing shop;

Sec. 03:C-02 Customary Home Occupations:

- .05.13 A sign painting shop; or
- .05.14 A real estate office; and
- .06 Not be detrimental or injurious to adjoining property; and
- .07 Not involve the conduct of a school for more than two students per hour; and
- .08 Not be an office to which any customers or clients come more often than once per day in accordance with the hereinabove traffic regulations 1. and 3.; and
- .09 Not include the keeping, stabling, pasturing, boarding or caring for any;
 - .09.01 Horse;
 - .09.02 Cattle;
 - .09.03 Dog;
 - .09.04 Cat; or
 - .09.05 Other animal belonging to persons other than the occupants of the main building.

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§ Sec. 03:D-01 Dwelling:

A dwelling is any building which is used, intended, or designed for living purposes, and contains complete independent living facilities, including permanent provisions for living, sleeping, eating, cooking, and sanitation for one family. (Ordinance 231)

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Spring Valley Village, Texas Code of Ordinances Sec. 03:F-03

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§ Sec. 03:F-03 Family:

One or more persons occupying a one-family dwelling and living there as a single housekeeping unit, as distinguished from a group of persons occupying a boarding house, lodging house, a club, fraternity or sorority house, a motel or hotel, apartment, duplex, or a multi-family dwelling. (Ordinance 231)

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Spring Valley Village, Texas Code of Ordinances Sec. 04:01

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Texas Municipal Codes > Texas > Spring Valley Village Code of Ordinances > CHAPTER 12 - PLANNING & ZONING > SECTION 4: ZONING DISTRICTS

§ Sec. 04:01 Establishment of Districts.

The City of Spring Valley Village, Texas, is hereby divided into the following zoning districts:

BASE DISTRICTS-

abbreviated designations	zoning district name
A	DWELLING DISTRICT "A"
B	OFFICE BUILDING DISTRICT "B"
C	COMMERCIAL DISTRICT "C"

SPECIAL DISTRICTS-

abbreviated designations	zoning district name
PADD	PLANNED AREA DEVELOPMENT DISTRICT
PAD	PLANNED AREA DEVELOPMENT
SUP	SPECIFIC USE PERMIT

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Spring Valley Village, Texas Code of Ordinances Sec. 04:02

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§ Sec. 04:02 Zoning District Map.

The location and boundaries of the zoning districts of the city shall be shown on the map attached hereto, which map is designated as the "Official Zoning District Map of the City of Spring Valley Village, Texas." Said map and all notations, references, and other information shown thereon and all amendments thereto are made a part of this chapter as if fully set forth and described herein.

HISTORY NOTE:

(Ordinance 2008-11 adopted 5-27-08)

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Spring Valley Village, Texas Code of Ordinances Sec. 05:01

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Texas Municipal Codes > Texas > Spring Valley Village Code of Ordinances > CHAPTER 12 - PLANNING & ZONING > SECTION FIVE: BUILDING AND USE RESTRICTIONS IN DWELLING DISTRICT "A"

§ Sec. 05:01 USE REGULATIONS:

In Dwelling District "A", no building or premises shall be used, and no building shall be erected or structurally altered which is arranged or designed to be used, for any other than one or more of the following uses:

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§ Sec. 05:01.01

One Family Dwelling;

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Spring Valley Village, Texas Code of Ordinances Sec. 05:01.02

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§ Sec. 05:01.02

Garages or other structures for storing or parking motor vehicles or other personal equipment;

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Spring Valley Village, Texas Code of Ordinances Sec. 05:01.03

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§ Sec. 05:01.03

Public parks, playgrounds, recreational facilities, fire and police services owned by the City of Spring Valley or by a public entity acting at the request of the City of Spring Valley; (Ordinance 159)

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Spring Valley Village, Texas Code of Ordinances Sec. 05:01.04

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§ Sec. 05:01.04

Accessory Buildings and uses customarily incident to the above uses and located on the same Lot therewith and not involving the conduct of a business other than those defined in Section Three, as a Customary Home Occupation. An outdoor swimming pool shall be permitted only in the back or side yards as an Accessory Use or structure.

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§ Sec. 05:02.03 Size and Area Requirements:

In construing this Ordinance, all measurements shall be made to the property lines inclusive of any portion of easements within the property lines, so as that the area contained in any easement within the property lines shall be considered a part of the Lot in question for the purposes of determining building lines.

- .01 Minimum Lot Area. All residential Lots shall have a minimum Lot area of ten thousand (10,000) square feet with a minimum of nine thousand (9,000) square feet exclusive of easements.
- .02 Maximum height. No building or structure more than thirty-six feet (36') in height shall be erected in Dwelling District "A". (See also Building or Structure Height to setback ratio (3:5 below).)
- .03 Maximum stories. No building or structure more than two stories shall be erected in Dwelling District "A".
- .04 Reserved. (Ordinance 2006-05 adopted 3-28-06)
- .05 Reserved. (Ordinance 2006-05 adopted 3-28-06)
- .06 Minimum Floor Area Per Dwelling Unit. Each dwelling unit shall have a minimum ground floor, as that term is defined in this subsection, of fourteen hundred (1,400) square feet in area, exclusive of porches, garage, and laundry rooms. The ground floor of a dwelling unit is the living space area most proximate to the foundation slab or other support foundation, upon which such structure is located. (Ordinance 194)
- .07 Maximum Foundation Height. The foundation slab or other support foundation of a structure shall not exceed a height of four feet (4') above the average surrounding finished grade of the ground upon which such structure is located. (Ordinance 194)
- .08 Maximum Lot Coverage. The maximum coverage of any lot with any constructed surface shall not exceed sixty percent (60%) of the lot area located behind the required front building line, and shall not exceed fifty percent (50%) of the lot area located in front of the required front building line. "Constructed surface" shall include for computation of lot coverage buildings, garages, accessory buildings, patios, sidewalks, driveways, any area surfaced for automobiles, and other constructed surface areas, but shall exclude stepping stones, air conditioner supports, landscape border stones, wooden decks, and similar materials or structures. Provided, further, that the water surface area of a swimming pool shall not be counted as constructed surface in the computation of the maximum coverage of any lot, and that pavers (a.k.a. paver stones, brick pavers, or concrete pavers, however named) shall be counted as constructed surface in the computation of the maximum coverage of any lot. (Ordinance 2004-01 adopted 1-20-04)
- .09 Building line setbacks: (Ordinance 231)
 - .09.01 General: The following restrictions shall apply to all construction of or addition to new or pre-existing buildings, dwellings, garages, and accessory use buildings.
 - .09.02 Front building line setbacks:

Sec. 05:02.03 Size and Area Requirements:

- .09.02.01 Adjoining a local or collector street. For a lot fronting a local or collector street having a right-of-way width of sixty feet (60'), the minimum front building line setback shall be twenty-five feet (25'). For a lot fronting a local or collector street having a right-of-way width of fifty feet (50'), the minimum front building line setback shall be thirty feet (30'). (Ordinance 2007-05 adopted 3-20-07)
- .09.02.02 Adjoining a Major Thoroughfare. For a lot adjoining a major thoroughfare, other than Westview Drive, the front building setback line shall be twenty-five feet (25'). All garages facing a major thoroughfare must be setback a minimum of thirty-eight feet (38'), measured from the inside edge of any public sidewalk nearest the associated front property line.
- Lots Adjoining Westview Drive. Except as provided herein, for a lot adjoining and facing Westview Drive the front building setback line shall be twenty-five feet (25'); provided, however, for a lot adjoining and facing Westview Drive on the north side of Westview Drive between Bracher Street and Bingle Road, the front building setback line shall be forty feet (40'). All garages must be setback a minimum of thirty-eight feet (38') from the inside edge of any public sidewalk nearest the associated front property line, subject to the provisions of Section 05:02.01.04. (Ordinance 2018-27 adopted 10-23-18; Ordinance 2019-12 adopted 5-21-19; Ordinance 2019-14 adopted 6-25-19)
- .09.02.03 Adjoining a Cul-de-sac turnaround. For a lot fronting the turnaround portion of a cul-de-sac, the minimum front building line setback shall be twenty feet (20'). (Ordinance 2007-05 adopted 3-20-07)
- .09.02.04 Setback Adjustment. If a lot fronts a right-of-way of less width than the minimum required in the City's Subdivision Development Ordinance or the City's Street and Thoroughfare plan, there shall be added to the setback additional footage to compensate for the deficit, in order to preserve setbacks and the alignment of homes.
- .09.02.05 Pre-existing lot. If the pre-existing lot depth is less than the minimum depth required by the City Subdivision Development Ordinance, the front building line setback shall not be less than the setback shown on the pre-existing recorded plat, but in no event less than twenty-five feet (25').
- .09.03 Side building line setback.
- .09.03.01 Adjoining another lot. For adjoining side property lines, the side building setback shall be not less than eight feet (8'). Where a side property line adjoins the rear property line of adjacent property, the side yard setback for the second story shall be not less than fifteen feet (15'). (Ordinance 2006-05 adopted 3-28-06)
- .09.03.02 Adjoining a local or collector street. Adjoining a local or collector street right-of-way the minimum side building line setback shall be fifteen feet (15').
- .09.03.03 Adjoining a major-thoroughfare. Adjoining a major-thoroughfare the minimum side building line setback shall be twenty-five feet (25').
- .09.03.04 Setback adjustment. If a side lot line adjoins a right-of-way of less width than the minimum required by the City's Subdivision Development Ordinance or the City's Street and thoroughfare plan, there shall be added to the setback additional footage to compensate for the deficit, in order to preserve setbacks and the alignment of homes.
- .09.03.05 An exception to the side building line setback for pre-existing dwellings and pre-existing garages. This subsection is applicable to pre-existing dwellings and pre-existing garages only. It is the intent of this subsection to permit a one-story enlargement or a one-story alteration of a pre-existing dwelling or pre-existing garage (whether one story or greater) within the side setback area as described in this subsection. A dwelling or garage that was constructed (pre-existing only) from the side property line of an adjoining lot, street or major-thoroughfare as permitted by the city's regulations then in effect may be enlarged or altered within the side building line setback adjoining another lot, street or major-thoroughfare provided that the one-story enlargement or one-story alteration is no closer to the side lot line than the pre-existing structure and is no closer than five feet from the side property line of the adjoining lot, street, or major thoroughfare. Further, the one-story enlargement or the one-story alteration within the current side setback area of the adjoining lot, street or major-thoroughfare shall not exceed in height the one-story height of the pre-existing structures on the lot based upon their first floor plate height and roof slope. This exception applies only to

Sec. 05:02.03 Size and Area Requirements:

side building line setbacks. (Ordinance 96-10; Ordinance 2003-02 adopted 1-20-03; Ordinance 2009-13 adopted 8-25-09)

.09.04. Rear building line setback.

09.04.01 Rear setback. For adjoining rear property lines, the rear building setback shall be not less than ten feet (10') for the first story, and not less than twenty five feet (25') for the second story. Where a rear property line adjoins the side property line of adjacent property, the rear yard setback shall be not less than ten feet (10'). (Ordinance 2006-05 adopted 3-28-06)

.09.04.02 Adjoining a local or collector street. Adjoining a local or collector street right-of-way the minimum required rear building setback shall be fifteen feet (15').

.09.04.03 Adjoining a major-thoroughfare. Adjoining a major-thoroughfare the minimum required rear building line setback shall be twenty-five feet (25').

.09.04.04 Setback adjustment. If a lot backs up to a right-of-way of less width than the minimum as required in the City's Street and Thoroughfare Plan there shall be added to the setback additional footage to compensate for the deficit, in order to preserve setbacks and the alignment of homes.

.09.04.05 Pre-existing lot. If the pre-existing lot depth is less than the minimum depth required by the City Subdivision Development Ordinance, the rear building line setback shall not be less than the setback shown on the pre-existing recorded plat, but in no event less than ten feet (10').

.10 Driveway Width, Transition, and Separation.

.10.01 Except as provided by subsection 10.04 below, the maximum driveway width at the line of intersection with the street pavement shall not exceed twenty-four feet (24'), plus the corner radii at each intersection and the maximum width of the driveway located within the right-of-way shall not exceed twenty-four feet (24').

.10.02 Residential access ways, or curb cuts, shall meet or exceed the minimum standards set by the City. (See, e.g., Article 3.1200, Regulations for the Cutting of Streets).

.10.03 No curb cut shall be located within twenty-four feet (24') of a street intersection.

.10.04 Lots that are adjacent to Campbell Road or Bingle Road and a minor street shall have vehicular driveways connecting with the minor street only.

.10.05 Where the driveway provides direct access to a garage containing more than two (2) parking spaces and the garage fronts a side-street, then the corresponding curb cut shall not exceed thirty-six feet (36').

.10.06 Only one (1) curb cut is permitted per residence; provided, however, a second curb cut is permitted when connected to a circular driveway. Except as provided by subsection 10.04, the total width of all curb cuts per residence shall not exceed twenty-four feet (24') plus the corner radii at each intersection.

.10.07 If more than one (1) curb cut (that is street transition) is constructed on the same lot, such curb cuts shall be separated (nearest edge to nearest edge as measured along the street curb) by a minimum distance of at least twenty feet (20'). The driveways corresponding to the two (2) curb cuts must interconnect as a circular driveway, and at least one (1) curb cut must correspond to a driveway to the dwelling unit's garage or alternative enclosed vehicle parking space.

.10.08 A parking pad is permitted only if it is contiguous to the driveway, it is a paved surface, and it is located entirely outside the City right-of-way.

.10.09 It shall be unlawful for any person to cause or permit the placement or construction of a vehicular driveway, or any portion thereof, which violates the provisions of this section.

HISTORY NOTE:

(Ordinance 2013-03 adopted 2-26-13; Ordinance 2019-12 3 adopted 5-21-19)



Spring Valley Village, Texas Code of Ordinances Sec. 05:02.06

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§ Sec. 05:02.06 Garage Apartments prohibited:

No garage apartment shall be erected in District "A".

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